

REMARKS

Claims 37-81 are pending in the present application, and were rejected in the Final Office Action dated December 28, 2004. The rejection of these claims is respectfully traversed.

I. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 37-40, 42-48, 52-55, 57-63, 67-70, and 72-78 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kothuri et al.* (U.S. Patent No. 6,470,344) in view of *Riddle* (U.S. Patent No. 4,466,060).

Claims 41, 56 and 71 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kothuri et al.* in view of *Riddle*, as applied to claims 37-40, 42-48, 52-55, 57-63, 67-70, and 72-78, and further in view of *Blais et al.* (U.S. Patent Application Pub. No. 2002/0178437).

Claims 49-50, 64-65, and 79-80 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kothuri et al.* in view of *Riddle*, as applied to claims 37-40, 42-48, 52-55, 57-63, 67-70, and 72-78, and further in view of *Hsing et al.* (U.S. Patent Application Publication No. 2002/0023113).

Claims 51, 66 and 81 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kothuri et al.* in view of *Riddle*, as applied to claims 37-40, 42-48, 52-55, 57-63, 67-70, and 72-78, and further in view of *Geil* (U.S. Patent No. 3,662,400).

Applicants respectfully traverse the rejections at least because the cited references do not teach or suggest “determining if a node is present in only one tree” as recited, for example, in claim 37. The Examiner admits that *Kothuri et al.* does not teach “determining if a node is present in only one tree,” and Applicants agree. However, the Examiner asserts that *Riddle*

teaches “determining if a node is only present in only one tree” stating that “if a node is present in only one tree” is read on “each node has one and only one parent node.”

Applicants respectfully submit that “each node has one and only one parent node” does not teach or suggest “determining if a node is present in only one tree.” The phrase “each node has one and only one parent node” is unrelated to “determining if a node is present in only one tree.” Further, the cited passage of *Riddle* at col. 7, ll. 43-63 does not state “each node has one and only one parent node” as stated by the Examiner. The passage refers to a format of a message sent by a node in Figure 7, a figure which “shows the format of the hello message sent by node 1.” (Col. 7, ll. 15-16). There is no mention in this passage of “each node has one and only one parent node.”

The reference in *Riddle* to “each node has one and only one parent node” (col. 5, ll. 66 - col. 6, l. 1) refers to a hierarchical structure of a given tree, not the relationship between nodes of different trees and does not teach or suggest “determining if a node is present in only one tree.” In *Riddle* at col. 5, ll. 66 - col. 6, l. 1, the specification states “[t]he term tree as used herein refers to an arrangement of the nodes in hierarchical structure, each node having only one parent node.” (Emphasis added.)

The concepts of “each node has one and only one parent node” and “determining if a node is present in only one tree” do not correlate to each other, are unrelated, and are not mutually exclusive whereas a node may have one and only one parent node, but not be present in only one tree. For example, a node may be present in more than one tree and still have only one parent node in each tree. In addition, a node may be a root node in more than one tree and a child in another tree such that the node is not present in only one tree but has only one parent

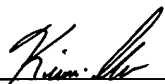
node. As a result, "each node has one and only one parent node" does not teach or suggest "determining if a node is present in only one tree." The other cited references *Blais et al.*, *Hsing et al.*, and *Geil* also do not teach or suggest this limitation. As a result, none of the cited references teach or suggest the limitations of claim 37. Applicants submit that claim 37 is patentable for at least the above-mentioned reasons. Claims 38-51 depend from claim 37, and are therefore patentable for at least the same reasons. Claims 52 and 67 are patentable for at least the same reasons as claim 37. Furthermore, claims 53-66 and 68-81 depend on claims 52 and 67 respectively and are therefore patentable at least for the same reasons.

IV. Conclusion

In view of the foregoing remarks, Applicants request the entry of this Response, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the new claims. Applicants submit that all claims are allowable over the cited prior art, and respectfully request early and favorable notification to that effect.

Respectfully submitted,

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